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NO. 774 P. 16/23

REMARKS

Claims 27-86 are pending in the present application. Claims 27-40 have been rejected. No claims have been allowed. Claims 27, 28, 30, 32, 33, 34, 35, 36, 37, 39, 40 have been amended. New claims 41 -86 have been added.

A notice of appeal was filed September 22, 2004. A decision on the Appeal has not been made. This amendment is filed in conjunction with an RCE under CFR 1.114 (d) as a request to withdraw the appeal and to reopen prosecution.

Applicant believes the claim amendments add no new matter. Addressable pixels are well known in the art of display technology. Circuitry for controlling display pixels is at least shown in FIGs. 2 and 3 as element 48.

I. Drawings

Formal drawings for FIGs. 1-5 are submitted with this response and the rejection to the drawings is believed overcome.

II. Claim Rejections under 35 U.S.C. § 103

Claims 27 and 33 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Griswold et al. (6,027, 115).

Claims 28, 31, 32, 34, 36-38 and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Griswold et al. (6,027, 115) in view of Acres, et al. (6,008,784) in view of Universal Display: FOLED Technology.

Claims 29, 30, 35 and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Griswold et al. (6,027, 115) in view of Acres, et al. (6,008,784) in view of Universal Display: FOLED Technology in further view of Business Week 2000: The tube.

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Griswold, as recited in the Background of present application, describes a reel with electroluminescent display elements. The electroluminescent elements are formed in a fixed pattern to form gaming symbols. These symbols rotate as the reel rotates. However, to change the gaming symbols the reels must be physically replaced. Acres teaches a display with LEDs arranged around a curve but the display does not rotate.

As recited in the pending claims, a gaming apparatus comprising, a reel rotatable about an axis and a display operable to display an indicium comprising a pattern using the plurality of addressable pixels where the display is operable to rotate about the axis. A controller is operatively coupled to the display and is programmed to i) cause said indicium to be displayed on said display and ii) select from a plurality of game play indicia the indicium to display on the display. A memory is adapted for storing programming instructions or information for generating the game play indicia including the indicium. An advantage of the present invention is that an operator can present a wager-based game using physical reels that rotate and change indicia displayed on the reels without physically removing the reels.

Griswold, the combination of Griswold, Acres, FOLED, or the combination Griswold, Acres, FOLED and Business Week 2000 don't teach a gaming apparatus with the limitations as recited in the pending claims. In particular, the combination of references does not teach a controller programmed to select from a plurality of game play indicia the indicium to display on the display that rotates on the reel where programming instructions or information for generating the game play indicia including the indicium are stored in a memory coupled to the controller. The combinations Griswold, Acres, FOLED and Business Week 2000 can't be said to render obvious the present invention as recited in claims 27-86 and the rejections are believed overcome thereby.

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CONCLUSION

Applicants respectfully submit that all claims are in proper form and condition for patentability, and request a Notification of Allowance to that effect. If any fees are due in connection with this Response to Office Action or for this application in general then the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-0388, referencing Docket No. IGT1P267. The Examiner is respectfully requested to contact the undersigned attorney at the telephone number below with any questions or concerns relating to this document or application.

Respectfully Submitted,
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